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Dennis Ballantyne
Operator's Signature

10/2/03
Date

2003 HOUSE JUDICIARY

HB 1191

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Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1191

House Judiciary Committee

Conference Committee

Hearing Date 1-28-03

Tape Number	Side A	Side B	Meter #
2	x		0-13
Committee Clerk Signature <i>D. Penrose</i>			

Minutes: 11 present, 2 members absent (Rep. Onstad and Rep. Eckre).

Vice-Chairman Maragos: We will open the hearing on HB 1191.

Rep. Carlisle: This bill is intended to remove the sunset clause on the drug court program. (see attached testimony from Judge Hagerty).

Vice-Chair Maragos: Thank you.

Judge Bruce Haskell: Support. We want to remove the sunset clause because this program has been successful and want to keep it going.

Rep. Kretschmar: This is only in Burleigh County or in the entire South Central District.

Judge Haskell: In Burleigh & Morton counties, but are looking at other areas, but do need probation services, and treatment services. An adult program is starting in Fargo.

Rep. Onstad: This is not a mandatory program.

Judge Haskell: No.

Vice-Chair Maragos: Thank you. Anyone else to testify in favor of HB 1191.

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D. Penrose
Operator's Signature

1/28/03
Date

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House Judiciary Committee
Bill/Resolution Number HB 1191
Hearing Date 1-28-03

Ted Gladden, Supreme Court: Support. (See attached testimony).

Rep. Delmore: Is there a fiscal note?

Mr. Gladden: No, this is covered out of existing appropriations of the department or grant funds, and the judges' volunteer to be in drug court, the program is working.

Vice-Chair Maragos: Thank you. Anyone else in favor of HB 1191.

Cory Schlinger, Drug Court Coordinator: To address Rep. Onstad's question, currently we are tracking cases of what would have been the sentences.

Rep. Onstad: What percent choose drug court.

Mr. Schlinger: The drug court is on a voluntary basis, they have to request admission to the program.

Rep. Onstad: How many choose this program, what percentage.

Mr. Schlinger: I don't have the figures.

Rep. Delmore: What criteria is it they have to meet.

Mr. Schlinger: Be the 3rd DUI offense, must show addiction, etc.

Vice-Chair Maragos: Thank you. Anyone else wishing to testify in favor of HB 1191.

Christine Hogan, Exec. Dir., State Bar Association: Enthusiastically support this bill.

Vice-Chair Maragos: Thank you.

Keith Magnuson, ND DOT: Support. This program deserves a chance to continue on.

Vice-Chair Maragos: Thank you. Anyone else wishing to testify in HB 1191.

John Olson, Peace Officer's Association: Support.

Vice-Chair Maragos: Thank you. Anyone wishing to testify in opposition to HB 1191. We will close the hearing.

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Deanna Walden
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1/28/03
Date

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House Judiciary Committee
Bill/Resolution Number HB 1191
Hearing Date 1-28-03

Chairman DeKrey: What are the committee's wishes?

Rep. Klemm: I move a Do Pass.

Rep. Delmore: Seconded.

12 YES 0 NO 1 ABSENT

DO PASS

CARRIER: Rep. Delmore

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Dorinda G. [Signature]
Operator's Signature

10/2/03
Date

FISCAL NOTE
 Requested by Legislative Council
 01/08/2003

Bill/Resolution No.: HB 1191

1A. **State fiscal effect:** Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

1B. **County, city, and school district fiscal effect:** Identify the fiscal effect on the appropriate political subdivision.

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2. **Narrative:** Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.

There is no negative fiscal impact by this bill. Judge services will be provided as part of our normal appropriation.

3. **State fiscal effect detail:** For information shown under state fiscal effect in 1A, please:

A. **Revenues:** Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

B. **Expenditures:** Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

C. **Appropriations:** Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.

Name:	Ted Gladden	Agency:	N.D. Supreme Court
Phone Number:	3284216	Date Prepared:	01/09/2003

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Ted Gladden
 Operator's Signature

01/09/03
 Date

Date: 1/28/03
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1191

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Rep. Klemm Seconded By Rep. Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	✓	
Vice Chairman Maragos	✓		Rep. Eckre	✓	
Rep. Bernstein	✓		Rep. Onstad	✓	
Rep. Boehning	✓				
Rep. Galvin	✓				
Rep. Grande	AB				
Rep. Kingsbury	✓				
Rep. Klemm	✓				
Rep. Kretschmar	✓				
Rep. Wrangham	✓				

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Delmore

If the vote is on an amendment, briefly indicate intent:

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Deanna Haldrup Operator's Signature 1/28/03 Date

REPORT OF STANDING COMMITTEE (410)
January 29, 2003 12:08 p.m.

Module No: HR-17-1246
Carrier: Delmore
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1191: Judiciary Committee (Rep. DeKroy, Chairman) recommends **DO PASS**
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1191 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-17-1246

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Deanna Ball
Operator's Signature

1/29/03
Date

